

AN ACT
RELATING TO RESTRICTIONS ON MOWING WITHIN THE RIGHT-OF-WAY OF
INTERSTATES, PRIMARY HIGHWAYS, AND SECONDARY ROADS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 314.17, Code 2009, is amended to read as follows:

314.17 Mowing on interstates, and primary highways, and secondary roads.

~~On or after January 1, 2003, the department shall not mow~~
Mowing roadside vegetation on the rights-of-way or medians on
any primary ~~or highway,~~ interstate highway. ~~Mowing shall be~~
~~permitted as follows, or secondary road prior to July 15 is~~
prohibited, except as follows:

1. ~~On rights-of-way which include drainage ditch areas.~~
Within two hundred yards of an inhabited dwelling.

2. On rights-of-way within ~~three miles~~ one mile of the corporate limits of a city.

3. To promote native species of vegetation or other long-lived and adaptable vegetation.

4. ~~For establishing~~ To establish control of damaging insect populations, noxious weeds, and ~~invader~~ invasive plant species.

5. For visibility and safety reasons.

6. Within rest areas, weigh stations, and wayside parks.

Sec. 2. Section 317.11, Code 2009, is amended to read as follows:

317.11 Weeds on roads — harvesting of grass.

1. The county boards of supervisors and the state department of transportation shall control noxious weeds growing on the roads under their jurisdiction. Spraying for control of noxious weeds shall be limited to those circumstances when it is not practical to mow or otherwise control the noxious weeds.

2. Nothing under this chapter shall prevent the landowner from harvesting, in proper season on or after July 15, the grass grown on the road along the landowner's land except for vegetation maintained for highway purposes as part of an integrated roadside vegetation management plan which is consistent with the objectives in section 314.22.

Sec. 3. Section 317.19, Code 2009, is amended to read as follows:

317.19 Road clearing appropriation.

1. The board of supervisors may appropriate moneys to be used for the purposes of cutting, burning, or otherwise controlling weeds or brush within the right-of-way of roads under county jurisdiction ~~in time to prevent reseeding or~~ in a manner consistent with the county's roadside vegetation management plan, if the county has adopted such a plan, or in time to prevent reseeding, except as provided in section 314.17. The moneys appropriated shall not be spent on spraying for control of weeds except in those circumstances when it is not practical to mow or otherwise control the weeds.

2. The board of supervisors may purchase or hire necessary equipment or contract with the adjoining landowner to carry out this section.

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2458, Eighty-third General Assembly.

MARK BRANDSGARD

Chief Clerk of the House

Approved _____, 2010

CHESTER J. CULVER

Governor